



**RFP08LPP-OFFSPEC-01**  
**SALE AND DISPOSITION OF US DOE OFF-SPECIFICATION, NON-UF6**  
**URANIUM MATERIALS**

**MODIFICATION 2**  
**August 27, 2008**

**Correction 1** – Replace page 1 of the RFP with the attached page 1. The change is the correction of “twenty-four” (24) to “twenty-five” (25). The sentence now reads: The Uranium Materials offered for sale and disposition are organized into **twenty-five (25)** lots identified in Attachment #2, *DOE Off-Specification, Non-Uf6 Uranium Materials*.

**Correction 2** – Replace page 5 of Instructions to Bidders (Attachment 1) with the attached page 5. The change is the correction of “twenty-four” (24) to “twenty-five” (25). The sentence now reads: The Uranium Materials offered for sale and disposition are organized into **twenty-five (25)** lots identified in Attachment #2, *DOE Off-Specification, Non-Uf6 Uranium Materials*.

**Correction 3** – Replace page 6 of Instructions to Bidders (Attachment 1) with the attached page 6. The change is the addition of “11A” in Section A.1, paragraph 6. The sentence now reads: Interested parties should be advised that approximately 8400 drums totaling approximately 245 MTU in Lots 3B, 3C, **11A**, 11C, 13, 14, and 15C contain fissile fluorides, metals, and oxides in DOT Type A containers that have package certifications which will expire on October 1, 2008.

**Correction 4** – Replace page 7 of the Model Sales Agreement (Attachment #5) with the attached page 7. The change is replacing the words “containment cylinders” with the word “containers” in Article V.B.1. The sentence now reads: “Delivery” is defined as the Seller’s physical loading of the **containers** onto the Buyer’s furnished vehicle.

**REQUEST FOR PROPOSALS**  
**(RFP 08 LPP OFF-SPECIFICATION, NON-UF<sub>6</sub> URANIUM MATERIALS)**

**SALE AND DISPOSITION**  
**OF**  
**U. S. DEPARTMENT OF ENERGY**  
**OFF-SPECIFICATION, NON-UF<sub>6</sub> URANIUM MATERIALS**

**Summary:**

LATA/Parallax Portsmouth, LLC ("LPP"), a contractor of the U. S. Department of Energy ("DOE" or the "Government"), Portsmouth/Paducah Project Office, Lexington, Kentucky, has a requirement to sell and dispose of DOE's Off-Specification, Non-UF<sub>6</sub> Uranium Materials (the "Uranium Materials") presently stored at the Portsmouth Gaseous Diffusion Plant ("PORTS") near Piketon, Ohio. These Uranium Materials are being offered for sale through a competitive solicitation described in Attachment #1, *Instructions to Bidders*.

The Uranium Materials offered for sale and disposition are organized into twenty-five (25) lots identified in Attachment #2, *Inventory Available for Sale and Disposition*. A Technical Description and Characterization Summary are provided in Attachment #3, *Technical Description & Summary Characterization Reports*. Attachment #4 contains *Site Visit Information*. A *Model Sales Agreement* is provided in Attachment #5.

**Terms of Sale:**

The Uranium Materials offered in this solicitation are summarized in the following table:

<b>Material Type</b>	<b>Metric Tons Uranium (MTU)</b>
Uranium Metals	1957
Uranium Oxides	990
Uranium Fluorides	1511
Uranium Solutions	1.453 (11,804 liters)
	<b>4461 MTU</b>

Sale of Uranium Materials will be made to the highest rated acceptable bidder(s) for bid quantities up to the maximum available quantity, considering bid amount (\$/MTU) and other relevant factors, as stated in Section B.5, Evaluation Criteria. LPP reserves the right to accept more than one bid, or accept a portion of a bid containing more than one lot, in order to maximize value to the Government. LPP also reserves the right to decline any or all bids. LPP will select the award(s) based on the overall best value to the Government.

All sales are subject to compliance with applicable laws and regulations, including any required determination by the Secretary of Energy that the sale and disposition of some or all of the Uranium Materials will not have an adverse material impact on the domestic uranium mining, conversion or enrichment industry. LPP reserves the right to withdraw any portion of the Uranium Materials offered prior to award and/or schedules to ensure compliance with the Secretary of Energy's March 11, 2008,

## SECTION A – INTRODUCTION

### A.1 Overview

LATA/Parallax Portsmouth, LLC (“LPP”), a contractor of the U. S. Department of Energy (“DOE” or the “Government”), Portsmouth/Paducah Project Office, Lexington, Kentucky, has a requirement to sell and dispose of DOE’s Off-Specification, Non-UF<sub>6</sub> Uranium Materials (the “Uranium Materials”) presently stored at the Portsmouth Gaseous Diffusion Plant (“PORTS”) near Piketon, Ohio. These Uranium Materials are being offered for sale through a competitive solicitation described in Attachment #1, *Instructions to Bidders*.

The Uranium Materials offered for sale and disposition are organized into twenty-five (25) lots identified in Attachment #2, *DOE Off-Specification, Non-Uf<sub>6</sub> Uranium Materials*. A technical description and characterization summary is provided in Attachment #3, *Technical Descriptions & Summary Characterization Reports*. Attachment #4 contains *Site Visit Information*. A *Model Sales Agreement* is provided in Attachment #5.

Sale of Uranium Materials will be made to the highest rated acceptable bidder(s) for bid quantities up to the maximum available quantity, considering bid amount (\$/MTU) and other relevant factors.

LPP reserves the right to accept more than one bid, or accept a portion of a bid containing more than one lot or a bid for a portion of a lot, in order to maximize value to the Government. LPP also reserves the right to decline any or all bids.

Bids for the Uranium Material where material would be returned to DOE will be considered; however, the evaluation of Bids will reflect a preference for bids that disposition the greatest quantity and/or value of Uranium Materials. LPP reserves the right to adjust quantities and/or schedules to ensure compliance with the Secretary of Energy’s March 11, 2008, Policy Statement on Management of DOE’s Excess Uranium Inventory (see Attachment #6).

The Uranium Materials offered in this solicitation are summarized in the following table:

Material Type	MTU
Uranium Metals	1957
Uranium Oxides	990
Uranium Fluorides	1511
Uranium Solutions	1.453 (11,804 liters)
	<b>4461 MTU</b>

Interested parties should be advised that approximately 8400 drums totaling approximately 245 MTU in Lots 3B, 3C, 11A, 11C, 13, 14, and 15C contain fissile fluorides, metals, and oxides in DOT Type A containers that have package certifications which will expire on October 1, 2008. As such, the Bidders proposed delivery schedule may be impacted by repackaging requirements. All costs associated with repackaging of Uranium Materials and containers will be the responsibility of the Bidder.

Submission of a signed Bid is an offer to purchase in accordance with terms and conditions set forth herein.

The Bidder will be responsible for all costs incurred by LPP associated with preparing and loading the purchased material. In addition, the Bidder will be responsible for transporting purchased material from PORTS to its final destination.

## **A.2 Authority**

The sale and disposition of the Uranium Material is authorized under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.).

## **A.3 Site Visit and Questions**

Interested Bidders will have an opportunity to visit the site, attend a presentation, submit written questions and view the Uranium Materials on Wednesday, September 10, 2008 at 10:00 am.. Subsequent questions will be accepted by the LPP Contracting Officer by email only (dmckenzie@lpports.com) until 4pm EDT, Friday, September 12, 2008.

Site visits by foreign nationals are difficult to accommodate and an extended amount of time is required to obtain approval. The proposed schedule for FY 2008 disposition activities is very aggressive. As such, non-U.S. citizens will not be considered for the Site visit. LPP will make every effort possible to address questions and requests for information by non-U.S. citizens.

## **A.4 Foreign Trade Statistics Regulations and Department of Energy Export Notice**

At time of delivery, the Bidder(s) shall have all required permits, licenses (e.g., special nuclear materials, export), and authorizations to take possession of Uranium Materials in compliance with all applicable laws, regulations, and ordinances of the United States and of any State, territory, or political subdivision, as well as with all applicable treaties, conventions and other agreements to which the United States is a party.

The following Foreign Trade and Export Restrictions apply:

- a. The Bidder shall determine any export license requirements, obtain any export license or other official authorization required for export, and carry out any U.S. Customs formalities for the export of any material awarded under this Solicitation.
- b. The Bidder shall comply with United States Bureau of Export Administration F Statistics and Export Administration Regulations as set forth in 15 CFR Parts 30 and 732 (as amended by 65 FR 42556-42575, July 10, 2000 or any subsequent rule making).
- c. If the Bidder is not a United States domestic entity or does not have a physical presence in the

C. The Buyer will be responsible following delivery for the transportation from the Portsmouth GDP of all the containers and materials purchased as the result of this sale.

1. "Delivery" is defined as the Seller's physical loading of the containers onto the Buyer's furnished vehicle.

2. At least five (5) business days prior to the date (no earlier than the delivery date identified in the Schedule – Pricing Information – Uranium Sale, and no later than the required dates specified in Article V.A.), the Buyer chooses to take possession of the Uranium Materials, the Buyer shall furnish copies of Buyer's commercial bills of lading and shipping information to the LPP's Contracting Officer and the person(s) identified in Article XVII of the Sales Agreement for Seller's information. This shipping information shall include the following:

- a. Quantity of Uranium Materials to be shipped
- b. Designation of type and kind of conveyance
- c. Name of the carrier (include telephone contact information)
- d. "Ship to" location
- e. Desired shipping schedule
- f. Name and telephone number of a person who can furnish additional shipping information if needed
- g. Emergency contact information
- h. Any additional pertinent information

3. Transfer of title to Uranium Material and associated containers will occur at PORTS. The date of title transfer of the Uranium Materials and associated containers shall be the date the materials are available for delivery (reference the "Available For Delivery" dates in Schedule - Pricing Information – Uranium Sale). Uranium Materials shall be available for delivery only after Seller has verified Buyer has all required permits and licenses, and made payment in full in accordance with Article VII.

D. Transportation of Off-Specification, Non UF<sub>6</sub> Uranium Materials is governed by the Hazardous Materials Transportation Act (HMTA), as amended by the Hazardous Materials Uniform Safety Act of 1990 and other acts (49 USC 5101 et seq.). LPP waste certification, regulatory compliance, and transportation personnel will ensure that all applicable regulatory requirements are met.

E. The Buyer is responsible for compliance with all applicable access restrictions to the Portsmouth GDP in accordance with statutes, regulations, applicable orders and directives, and the Department's site access requirements at the Portsmouth GDP.

## **ARTICLE VI. PURCHASE PRICE**